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Western District of Texas
By ______ Deputy

UNITED STATES MAGISTRATE COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, Plaintiff,	
v.	SA-14-1211M
JORGE PEREZ, Defendant.	

GOVERNMENT'S MOTION TO DETAIN DEFENDANT
AND MOTION FOR CONTINUANCE

TO THE UNITED STATES MAGISTRATE JUDGE:

The United States of America, by and through the United States Attorney for the Western District of Texas, and pursuant to Title 18 U.S.C. 3142, files this Motion to Detain Defendant and Motion for Continuance and moves for the detention of the Defendant without bond. No condition or combination of conditions will reasonably assure the Defendant's appearance and/or the safety of others, for the following reasons:

I. SEC. 3142(f); THREE-DAY CONTINUANCE

☐ **The Defendant is charged with a crime of violence, a human trafficking offense under 18 USC 1591, or a terrorism offense under 18 USC 2332b(g)(5)(B), for which a maximum term of imprisonment of ten years or more is prescribed;**

☐ **The Defendant is charged with an offense for which the maximum sentence is life imprisonment or death;**

☐ **The Defendant is charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the controlled Substances Act (21 USC 801 et seq.), or the Controlled Substances Import and Export Act (21 USC 951 et. seq.);**

☐ **The Defendant is charged with a felony offense and has been convicted of two or more prior felonies, each of which is a crime of violence, a violation of 18 USC 1591, a violation of 18 USC 2332b(g)(5)(B), or a violation of the Controlled Substances Act (21 USC 801 et seq.) or the Controlled Substances Import and Export Act (21 USC 951 et. seq.), or state offenses which had they been charged in federal court would have been offenses falling within these categories, for which the prescribed punishment is ten years or more;**

☐ **The Defendant is charged with an offense that involves a minor victim; or involves the possession or use of a firearm, destructive device, or any other dangerous weapon; or involves a failure to register under Title 18, United States Code, Section 2250;**

☐ **A serious risk exists that the Defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror;**

☒ **A serious risk exists that the accused will flee;**

and/or

☐ **Clear and convincing evidence supports the conclusion that no condition or combination of conditions will reasonably assure the safety any other person or of the community.**

Accordingly, the Government moves for detention without bond and requests a three-day continuance of the hearing on this matter.

II. SEC. 3142(d): TEN-DAY CONTINUANCE

The defendant may flee or poses a danger to the community or to any other person, and:

☐ **At the time the offense was committed the Defendant was on release pending trial for a felony offense;**

☐ **At the time the offense was committed the Defendant was on release pending imposition of sentence, appeal of sentence, or completion of sentence for any offense;**

☐ **At the time the offense was committed the Defendant was on probation or parole for any offense;**

☐ **The Defendant is not a United States citizen or not admitted lawfully for permanent residence,**

The Government moves for detention and requests a ten-day continuance of the hearing on this matter.

WHEREFORE, PREMISES CONSIDERED, no condition or conditions will reasonably assure the appearance of Defendant as required and the safety of the community, and pursuant to 18 U.S.C. § 3142(f), the Government requests that the Court detain Defendant without bond pending trial, and asks for a hearing on this matter.

Respectfully submitted,

ROBERT PITMAN
United States Attorney

/s/

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Assistant United States Attorney
601 NW Loop 410, Suite 600
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UNITED STATES MAGISTRATE COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. JORGE PEREZ, Defendant.	SA-14-1211M

ORDER

On this date the Court considered the Government's Motion to Detain Defendant, and the Court having reviewed said motion finds that it should be **GRANTED.**

IT IS HEREBY ORDERED that the Government's Motion to Detain Defendant is **GRANTED.**

IT IS FURTHER ORDERED that Defendant's bond hearing is set for ______________________ at _______ a.m. / p.m.

SIGNED AND ENTERED on:______________

____
JOHN W. PRIMOMO
UNITED STATES MAGISTRATE JUDGE